

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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GEORGE L. VONTRESS

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendant(s).

Case No. 2:18-cv-01746-RFB-BNW

ORDER

Before the Court is Defendant's Motion for Summary Judgment, Defendant's Motion for Leave to File Motion for Summary Judgment, CoreCivic Defendants' Motion for Reconsideration, Plaintiff's Motion for Partial Summary Judgment, CoreCivic Defendants' Motion to Stay Briefing, and CoreCivic Defendants' Motion to Dismiss. ECF No. 130,131,138,140,143,162. The Court held a hearing on September 17, 2020. The Court made rulings on the record. This order codifies that order and shall be construed to be consistent with those rulings.

The Court has found that jurisdictional discovery is appropriate in this case. ECF No. 184. Therefore, the Court orders that CoreCivic Defendants' shall produce to Plaintiff Vontress: (1) any documents related to the negotiation, consummation, and/or marketing of the CoreCivic's contract with Nevada Department of Corrections ("NDOC"), and (2) documentation reflecting that individual CoreCivic Defendants voluntarily subjected themselves to this district's jurisdiction.

Plaintiff Vontress' motions to compel documents to explore facts essential to the instant motions were previously denied. Accordingly, this Court will not grant summary judgment until

1 the relevant documents can be discovered. Jones v. Blanas, 393 F.3d 918, 930 (9th Cir.2004)
2 (noting “summary judgment is disfavored where relevant evidence remains to be discovered,
3 particularly in cases involving confined pro se plaintiffs.”). Defendants shall produce to Vontress
4 a copy of his medical records, a list of doctors that worked at the facility during the relevant
5 timeframe, and any recordings of his disciplinary hearing. CoreCivic Defendants shall produce to
6 this Court *in camera* any documents reflecting corrective or other disciplinary actions against
7 individual CoreCivic Defendants for violation of CoreCivic policies related to the treatment of
8 detained individuals.
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11 Therefore,

12 **IT IS ORDERED** that Defendants’ Motion for Summary Judgment [130] is DENIED
13 without prejudice subject to being renewed after discovery has closed and Defendants’ Motion for
14 Leave to File Motion for Summary Judgment [131] is GRANTED.

15 **IT IS FURTHER ORDERED** that Plaintiff’s Motion for Partial Summary Judgment
16 [140] is DENIED without prejudice subject to being renewed after discovery has closed.

17 **IT IS FURTHER ORDERED** that CoreCivic Defendants’ Motion to Stay Briefing [143]
18 is DENIED without prejudice as moot.

19 **IT IS FURTHER ORDERED** that CoreCivic Defendants Motion to Dismiss [162] is
20 DENIED without prejudice for the same reasons issued in this Court’s prior Order [127] except
21 with respect to the individual CoreCivic Defendants.
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23 **ITS IS FURTHER ORDERED** that the stay in this matter has been lifted.
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25 **IT IS FURTHER ORDERED** that CoreCivic Defendants must produce documents *in*
26 *camera* reflecting corrective or other disciplinary actions against individual CoreCivic Defendants
27 for violation of CoreCivic policies related to the treatment of detained individuals as well as any
28 objections to the production and relevance to the record by October 1, 2020.

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2 **IT IS FURTHER ORDERED** that Defendants must produce to Plaintiff Vontress copy
3 of his medical records, a list of doctors that worked during the relevant timeframe, and any
4 recording of Vontress' disciplinary hearing.

5 **IT IS FURTHER ORDERED** that the Parties shall have until October 19, 2020 to
6 complete written discovery and written requests must be served by October 1, 2020. **FURTHER,**
7 Parties shall have until December 7, 2020 to complete virtual deposition discovery.
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9 **IT IS FURTHER ORDERED** that CoreCivic Defendants shall file their Motion to
10 Dismiss by October 26, 2020. Parties shall file any summary judgment motions by December 18,
11 2020. Responses shall be filed by January 4, 2021 and Replies shall be filed by January 18, 2021.
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13 DATED: September 22, 2020.

A handwritten signature in black ink, appearing to be 'RFB', is written above a horizontal line.

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15 **RICHARD F. BOULWARE, II**
16 **UNITED STATES DISTRICT JUDGE**
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